

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

UNITED STATES OF AMERICA,  
v.

Criminal Case No.: 3:24CR18  
Judge Robert E. Payne

WILLIAM HALL,  
Defendant.

**Defendant William Hall's Position on Sentencing**

The United States and Mr. William Hall entered into a plea agreement, pursuant to which Mr. Hall waived indictment and plead guilty to the captioned Information. The one-count Information charged Mr. Hall with a violation of 18 U.S.C. §371.<sup>1</sup> The Court found Mr. Hall guilty as charged and set a sentencing date.

The Court, noting that Mr. Hall was an exemplary defendant while out on bail since April 5, 2024, continued bail to the sentencing date of July 11, 2024, which is now continued to August 16, 2024.

**Factual Basis**

Mr. Hall was serving a sentence at FCC Petersburg between April 2022 and November 2022. Between October 2022, and December 2022, Mr. Hall admitted that he, under the direction of a prison guard, began selling cigarettes for the guard in the prison to other prisoners. Mr. Hall would then provide earnings from the sale of cigarettes through a third party to the prison guard. Mr. Hall used his proceeds in part to provide for his extremely ill mother.<sup>2</sup> Upon being

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<sup>1</sup> Conspiracy to Commit Bribery.

<sup>2</sup> Mr. Hall did plan to use his proceeds to help his mother, but between the money he was required to provide the prison guard and the money going to the other co-conspirator, he only received \$900.

approached by Federal investigators, Mr. Hall immediately acknowledged his role in this scheme. He remained forthcoming, never wavering in his admission of guilt from that time through the present.

#### The Plea Agreement

There is no agreement as to sentencing in the written plea agreement. Specifically, Mr. Hall and the United States acknowledged that the Court may sentence above or below the sentencing guideline range pursuant to *United States v. Booker*, 543 U.S. 220 (2005).

#### The Sentencing Guidelines

The Pre-Sentence Report provides a nineteen (19) as the total offense level with a Criminal History Category of III. (EFC No. 24). This recommends an active term of incarceration of thirty-seven (37) to forty-one (41) months.

#### Additional Motions

Mr. Hall has filed other motions regarding a downward departure regarding U.S.S.G. §5K1.1, U.S.S.G. §5K2.0, and a Variance Motion.

#### Mr. Hall's Position

Mr. Hall's position is that the Court should consider a suspended sentence based on his unequal relationship with the ringleader of this scheme. When a guard who controls one's life encourages, threatens, or forces an inmate to commit an illegal act, no matter how small (i.e. selling cigarettes), the Court should focus on the low level of the crime, the pressure placed on the inmate, and the issues in the inmate's life (paying for his mother's care) that caused him to comply with the guard's instructions.

Since his release, Mr. Hall moved into a halfway house and began meeting with his

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probation officer in Kentucky. He immediately obtained employment and found stable housing. He is reconnecting with his two children who are under the age of eighteen and began making child support payments to address his arrears from his time in prison. After a few months, Mr. Hall successfully took a new job an hour and a half (1.5) away from his residence, which paid substantially better. He married his girlfriend, and they found an appropriate residence, which his probation officer visited.

Prior to this current job, while Mr. Hall was in the halfway house, he drove to his mother's house, with permission, to take care of her weekly. Now, *every day* he drives to his mother's home (as his sister stopped caring for their mother once Mr. Hall was released from prison) to care for her. He purchases all her food, prepares meals for her, does her laundry, bathes her, and cleans her home.

Mr. Hall literally wakes up, goes to work, takes care of his mom, engages with his children, and goes back to sleep.

Mr. Hall's employer requested he begin the management training program so he could be promoted again. To date, Mr. Hall has explained his current situation so that if active incarceration is in his future, the company will not be out a manager, showing respect and care for not only his loved ones but for his community at large. While he has begun the process of advancing in his career to a "tech" position, he is proud of the efforts he made to create this positive environment and thrilled that his newest position pays twenty-four (24) dollars per hour. This is the base pay and a promotion that usually leads to higher leadership positions.

Other than this conviction, Mr. Hall was a model prison resident, only receiving two infractions in the eight (8) years of incarceration.

#### Conclusion

Therefore, Mr. Hall encourages this Court to not sentence him to any period of active incarceration. Mr. Hall will, of course, provide any additional information or answer any questions the Court may have either prior to or at the sentencing hearing scheduled for August 16, 2024.

Dated: July 31, 2024

Respectfully submitted,

/s/Charles R. Samuels

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**Certificate of Service**

This is to certify that on Wednesday, July 31, 2024, I sent a copy of this Motion and Sentencing Memorandum via e-mail to Avishek Panth, Esq., at [Avishek.Panth@usdoj.gov](mailto:Avishek.Panth@usdoj.gov).

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